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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Gustavo CHAVEZ-Lara, Defendant.	Mag. Case No. '07 MJ 8979 **COMPLAINT FOR VIOLATION OF:** Title 8, U.S.C., Section 1326 Deported Alien Found In the United States

The undersigned complainant, being duly sworn, states:

On or about December 11, 2007, within the Southern District of California, defendant Gustavo CHAVEZ-Lara, an alien, who previously had been excluded, deported, and removed from the United States to Mexico was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States code, section 202(3) and (4) , and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

MARCO A. MIRANDA
Senior Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 13th DAY OF DECEMBER 2007.

PETER C. LEWIS
United States Magistrate Judge

UNITED STATES OF AMERICA
v.
Gustavo CHAVEZ-Lara

STATEMENT OF FACTS

The complainant states that this complaint is based upon the statements of the apprehending Border Patrol Agent, A. Galindo, that the Defendant was found and arrested on December 11, 2007 west of Calexico, California.

BPA Galindo was performing his assigned Border Patrol duties approximately 29 miles west of Calexico, California. BPA Galindo encountered eight individuals, one later identified as Gustavo CHAVEZ-Lara. BPA Galindo identified himself as a Border Patrol Agent and questioned CHAVEZ and the other individuals as to their immigration status to be in the United States. They all stated that they are citizens of Mexico and illegally in the United States. CHAVEZ and the other individuals were placed under arrest.

Record checks revealed that an Immigration Judge ordered CHAVEZ deported to Mexico from the United States on July 11, 2002. Record checks also revealed that CHAVEZ is currently on Supervised Released.

There is no evidence CHAVEZ has sought or received permission from the Attorney General or the Secretary of the Department of Homeland Security to re-enter the United States.